

**MEETING NO. 7**  
**March 18, 2004**

**ERIE COUNTY LEGISLATURE**

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**MEETING NO. 7**  
**March 18, 2004**

The Legislature was called to order by Chairman Holt.

All Members Present.

Invocation was led by Sister Lynne Anne Schimminger, FSSJ.

The Pledge of Allegiance was led by Mr. Ranzenhofer.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – CHAIRMAN HOLT directed that the minutes of previous meetings be tabled.

GRANTED.

Item 4 – No public hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – DUSZA, WROBLEWSKI & SCHROEDER, Et Al presented a resolution Honoring Michael Hilburger, Timothy Zielinski, Eric Scheele & Michael Emilianowicz of Boy Scout Troop 223 Upon Achieving Eagle Scout. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 6 – RANZENHOFER & WEINSTEIN, Et Al presented a resolution Congratulating the Williamsville North Hockey Team for their Victory at the State High School Championship. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 7 – RANZENHOFER & WEINSTEIN, Et Al presented a resolution Congratulating the Williamsville East Hockey Team for their Victory at the State High School Championship. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 8 – HOLT, MARINELLI, DEBENEDETTI, KUWIK, SMITH, SCHROEDER, DUSZA AND WROBLEWSKI, Et Al presented a resolution Honoring Mark Goldman for his Commitment to our Community and City of Buffalo. MR. RANZENHOFER seconded.

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CARRIED UNANIMOUSLY.

Item 9 – MR. RANZENHOFER, Et Al presented a resolution Honoring Thomas Perry upon Achieving the Lincoln Leadership Award. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 10 – CHAIRMAN HOLT directed that Local Law No. 1 (Print #2) 2003 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 11 – CHAIRMAN HOLT directed that Local Law No. 7 (Print #1) 2003 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 12 – CHAIRMAN HOLT directed that Local Law No. 15 (Print #1) 2003 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIRMAN HOLT directed that Local Law No. 16 (Print #1) 2003 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – MS. MARINELLI presented the following Local Law and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE  
 LOCAL LAW INTRO. NO. 1 -2004  
 LOCAL LAW NO. \_\_\_\_ -2004

A LOCAL LAW, amending Local Law No. 2-2003, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. Section 1(b) of Local Law No. 2-2003, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty- nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes, is hereby amended to read as follows:

Section 1 (b). To be eligible for the exemption provided by subdivision one of this Local Law, the maximum income of such person shall not exceed twenty-four thousand dollars.

Real property owned by one or more persons with disabilities, or real property owned by a husband and wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereinafter defined, is limited by reason of such disability, shall be exempt from taxation by the County of Erie to the extent provided in the following table:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt from Taxation</u>
Up to \$24,000	50 per centum
More than \$24,000, but less than \$25,000	45 per centum
\$25,000 or more, but less than \$26,000	40 per centum
\$26,000 or more, but less than \$27,000	35 per centum
\$27,000 or more, but less than \$27,900	30 per centum
\$27,900 or more, but less than \$28,800	25 per centum
\$28,800 or more, but less than \$29,700	20 per centum
\$29,700 or more, but less than \$30,600	15 per centum
\$30,600 or more, but less than \$31,500	10 per centum
\$31,500 or more, but less than \$32,400	5 per centum

Section 2. This Local Law shall be effective immediately.

CHARLES M. SWANICK  
 MICHAEL H. RANZENHOFER  
 ALBERT DEBENEDETTI  
 LYNN M. MARINELLI  
 BARRY A. WEINSTEIN, MD  
 ELISE M. CUSACK  
 DEMONE A. SMITH  
 DENISE E. MARSHALL

EDWARD J. KUWIK  
 RAYMOND K. DUSZA  
 GEORGE A. HOLT, JR.  
 JEANNE Z. CHASE  
 STEVEN P. McCARVILLE  
 MARK J.F. SCHROEDER  
 TIMOTHY M. WROBLEWSKI

MS. MARINELLI moved the approval of the Local Law. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 15 – CHAIRMAN HOLT directed that Local Law No. 2 (Print #1) 2004 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

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Item 16 – CHAIRMAN HOLT directed that Local Law No. 2 (Print #2) 2004 remain on the table.

GRANTED.

Item 17 – MS. MARINELLI presented the following Local Law and moved for immediate consideration. MR. DEBENEDETTI seconded.

COUNTY OF ERIE  
 LOCAL LAW INTRO NO. 3- 2004  
 LOCAL LAW NO. -2004

A LOCAL LAW amending, Local Law No. 1-1959, constituting the Erie County Charter as amended, in relation to the re-establishment, restructuring and reconvening of the Erie County Charter Revision Commission.

**BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:**

Section 1. PURPOSE. Section 1907 of Article 19 of Local Law #1-1959 constituting the Erie County Charter, as amended, establishing a Charter Revision Commission is repealed, and a new Section 1907 hereby establishing a Charter Revision Commission for the year 2004 is established as a fully amending Section 1907 of the Erie County Charter.

Section 2. CHARTER REVISION COMMISSION. That upon the adoption of this Local Law the County Legislature hereby creates a Charter Revision Commission to be established on or before April 15, 2004.

Section 3. THE PURVIEW OF THE CHARTER REVISION COMMISSION. The Charter Revision Commission shall study the operations of the County of Erie in their full scope; and shall consider the inter-municipal relations of the County of Erie and the myriad responsibilities that the County of Erie discharges in the course of its broadly defined duties to determine whether the Erie County Charter and the Erie County Administrative Code shall be further amended to render same as an effective framework for County government, and to adopt such amendments as may be necessary to facilitate the delivery of services to the public and to better coordinate the functions between departments and agencies of the County and the various Cities, Towns and Villages within the County. The Charter Revision Commission shall submit a final report, which shall include its findings, conclusions, and recommendations for appropriate action to the County Legislature and the County Executive on or before the 15<sup>th</sup> day of April, 2005.

Section 4. METHODOLOGY OF OPERATION. The Commission shall be provided with adequate funding for staff and costs incident to the discharge of its responsibilities as may be deemed necessary by the Erie County Legislature in the furtherance of its assigned duties.

Section 5. MEMBERSHIP. The Charter Revision Commission shall be composed of 23 members with one (1) member to be appointed by each District Legislator of the Erie County Legislature. The County Executive of the County of Erie shall appoint three (3) members, and the

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County Clerk, County Comptroller, County Sheriff, and the County District Attorney of the County of Erie shall have one appointee each to the Commission. In addition to the other designated appointment, the Chair of the Erie County legislature shall also appoint the Chairperson of the Charter Revision Commission.

No member of the Commission shall hold public office or be an employee of the County during the term of his/her appointment.

Section 6. REPORTS AND RECOMMENDATIONS. The County legislature shall act on all reports and recommendations submitted to it in a timely fashion by the Charter Revision Commission by either approving or disapproving each recommendation separately within three (3) months from the date of the submission of the findings, conclusions and report of the Commission.

GEORGE A. HOLT  
 EDWARD KUWIK  
 ALBERT DEBENEDETTI  
 RAYMOND K. DUSZA

LYNN M. MARINELLI  
 MARK J. F. SCHROEDER  
 DEMONE SMITH  
 TIMOTHY WROBLEWSKI

MS. MARINELLI moved the approval of the Local Law. MR. SWANICK seconded.

CHAIRMAN HOLT directed that a roll call vote be taken.

AYES: WEINSTEIN, DEBENEDETTI, DUSZA, HOLT, KUWIK, MARINELLI, SCHROEDER, SMITH & WROBLEWSKI. NOES: CHASE, CUSACK, MARSHALL, McCARVILLE, RANZENHOFER & SWANICK. (AYES 9, NOES 6).

CARRIED.

Item 18 – CHAIRMAN HOLT directed that Local Law No. 4 (Print #1) 2004 remain on the table.

GRANTED.

**COMMITTEE REPORTS**

Item 19 – MR. DUSZA presented the following resolution and moved for immediate consideration. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 105

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ENERGY & ENVIRONMENT  
 COMMITTEE  
 REPORT NO. 3

ALL MEMBERS PRESENT.

1. RESOLVED, that the following items are hereby received and filed.
  - a. Item Page -2004 (Comm. 4E-20)  
**COUNTY EXECUTIVE:** ECSD No. 1 – Engineering Services Agreements – Work Order – URS – 7, Comm. 18E-41.  
 (5-0)
  - b. Item Page -2004 (Comm. 6E-21)  
**COUNTY EXECUTIVE:** ECSD No. 1 – Engineering Service Agreements Work Order – URS – 8, Comm. 18E-41.  
 (5-0)
  - c. Item Page -2004 (Com. 6E-23)  
**COUNTY EXECUTIVE:** EC/Southtowns Sewage Treatment Agency – Oxygen Generation System Replacement Contact – Praxair – Change Order No. 1.  
 (5-0)
  - d. Item Page -2004 (Comm. 6E-24)  
**COUNTY EXECUTIVE:** EC/Southtowns Sewage Treatment Agency – Oxygen Generation System Replacement Contact – Praxair – Change Order No. 2.  
 (5-0)
2. Item Page -2004 (Comm. 6E-22)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has secured the services of Malcolm Pirnie Inc., to provide engineering services for Erie County Sewer District No. 6 Facilities, and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that all engineering services are now complete, and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the formal close-out of the Engineering Agreement with Malcolm Pirnie, Inc. dated June 24, 1993 at the final contract amount of \$827,212.12.

NOW, THEREFORE, BE IT

RESOLVED, that the Engineering Agreement dated June 24, 1993 between the County of Erie/Erie County Sewer District No. 6 and Malcolm Pirnie Inc. be formally closed - out in the final contract amount of \$827,212.12, and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to formally close-out the Engineering Agreement between the County of Erie/Erie County Sewer District No. 6 and Malcolm Pirnie Inc. dated June 24, 1993, and be it further

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RESOLVED, that the Clerk of Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P .E., Department of Environment and Planning, and one (1) certified copy to Gregory Dudek, Assistant County Attorney and, one (1) certified copy to the Erie County Comptroller's Office.

(5-0)

3. Item Page -2004 (Comm. 6E-25)

**COUNTY EXECUTIVE**

WHEREAS, the Division of Sewerage Management has requested approval in the 2004 Budget to reclassify two positions: (1) Clerk Typist, Job Group 1 to Sr. Clerk Typist, Job Group 4; and (2) Supervising Maintenance Mechanic, Job Group 9 to Sewer Repair Supervisor, Job Group 10 at Southtowns/Erie County Sewer District No. 3; and

WHEREAS, the District requires the reclassification due to significantly expanded work tasks to allow for the positions to be commensurate with respective positions with comparable titles.

NOW, THEREFORE, BE IT

RESOLVED, that the current position of Clerk Typist, (Position No. 804528) Job Group 1 be reclassified to Sr. Clerk Typist, Job Group 4; and the position of Supervising Maintenance Mechanic, (Position No. 804226) Job Group 9 be reclassified to Sewer Repair Supervisor, Job Group 10, in the 2004 Budget; and be it further

RESOLVED, that the funding for the changes for the reclassifications of the positions be taken out of the 2004 Budget, Southtowns/Erie County Sewer District No. 3, Unexpended Salaries; and be it further

RESOLVED, that a certified copy of the approved Resolution be sent to the County Executive, Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, the Erie County Personnel Department and the Erie County Budget Office.

(5-0)

4. Item Page -2004 (Comm. 6E-30)

**COUNTY EXECUTIVE**

WHEREAS, household hazardous waste is being generated by residents in Erie County, and

WHEREAS, improper disposal of household hazardous waste has the potential of contaminating air, land, and waters of Erie County, and

WHEREAS, continued storage of hazardous household products in the home constitutes a danger to the occupants and the community, and

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste Collection Program since 1988, servicing over 35,000 residents within Erie County, and

WHEREAS, the Erie County Program is dependent upon the cooperation and financial and other support of local sponsoring municipalities, and

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WHEREAS, the Town of Amherst and the NorthEast-SouthTowns (NEST) Solid Waste Board have indicated an interest and willingness to fund a household hazardous waste collection in their respective jurisdictions,

NOW, THEREFORE BE IT

RESOLVED, that the Department of Environment and Planning be authorized to schedule and conduct a household hazardous waste collection event on Saturdays, from 9:00 AM to 2:00 PM, in cooperation with each of the above mentioned jurisdictions, and be it further

RESOLVED, that the tentatively identified location and date for each event is as follows:

<u>Municipality</u>	<u>Location</u>	<u>Date</u>
Amherst	ECC North Campus	May 8, 2004
Orchard Park	ECC South Campus	June 19, 2004
Erie County	To Be Determined	July 17, 2004
Buffalo	To Be Determined	September 11, 2004

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; and the County Comptroller.

(5-0)

**RAYMOND K. DUSZA**  
**CHAIRMAN**

MR. DUSZA moved the approval of the resolution. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

Item 20 – MR. SCHROEDER presented the following resolution and moved for immediate consideration. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 106

March 11, 2004

ECONOMIC DEVELOPMENT  
 COMMITTEE  
 REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATOR SMITH. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

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1. RESOLVED, that the following items are hereby received and filed.

Item Page -2003 (Intro. 3-1)  
 a. **McCARVILLE, LARSON & CHASE:** Urging the Designation of US Route 219 as a  
 "Scenic Byway".  
 (5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2003 (Intro. 3-6)  
 b. **HOLT, MINORITY CAUCUS:** Budget Transfer – Road.  
 (5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2003 (Comm. 10E-12)  
 c. **HOLT:** Copy of Letter to Chairman Swanick Re: Intro 10-10 (2002).  
 (5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2003 (Comm. 10M-3)  
 d. **MAYOR MASIELLO:** Snow Removal Funds for City of Buffalo.  
 (5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

Item Page -2003 (Intro. 22-5)  
 e. **HOLT & DEBENEDETTI:** County Snowplowing Assistance for the City of Buffalo.  
 (5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

**AS AMENDED**

2. Item Page -2003 (Intro. 16-9)  
**HOLT, MARINELLI, SCHROEDER, DUSZA, DEBENEDETTI, SMITH, KUWIK & WROBLEWSKI**

WHEREAS, Buffalo Niagara Enterprise (BNE) is the business supported non- profit affiliate of the Buffalo/Niagara Partnership, created in 1999 by the private sector with the support of local government and Erie County to promote and foster job growth in this area, and

WHEREAS, the business community pledged to provide \$27 million in funding over five years in support of the BNE, and

WHEREAS, the BNE's original goal was the creation of 50,000 new net jobs over five years and \$1 billion in new investment in our area, and

WHEREAS, in support of the BNE's goals, Erie County provided \$950,000 in funding to BNE in October 1999, followed by \$1 million in 2001, \$1 million in 2002, \$1 million in 2003 and \$1 million in 2004, making Erie County the single-largest investor in the BNE, and

WHEREAS, the current County Executive has made Erie County financial support of the BNE a major priority, and

WHEREAS, acknowledging the organization's attempt to meet its goals, the BNE's board of directors voted in October 2001 to readjust the job goals altogether, and

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WHEREAS, in April 2002, the BNE also significantly altered its national advertising and marketing campaign, putting less money and resources into national marketing and advertising, and more money into working one-on-one with local companies to encourage them to create more local jobs and pursue additional investment in the area, and

WHEREAS, the Erie County Industrial Development Agency (ECIDA) also plays a major role in the economic development efforts in Erie County,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests the appearance of Randall Clark, Chairman of the BNE, and Thomas Kucharski, CEO and President of the BNE, and Kevin Clarke, Chairman of the ECIDA and Charles Webb, Executive Director of the ECIDA, at a future meeting of the Legislature's Economic Development Committee, in order that the Legislature may seek information, pose questions, and identify ways in which Erie County may be able to better work with the BNE and ECIDA in our mutual goal of creating new jobs, retaining existing jobs, and promoting new investment in Erie County, and be it further

RESOLVED, that this Honorable Body expresses its support for tangible steps and efforts to explore the possibility of consolidating local economic development agencies into one countywide industrial development agency as a means of furthering economic development and job retention and development in Erie County, and be it further

RESOLVED, that certified copies of this resolution be submitted to Mr. Clark and Mr. Kucharski, Mr. Clarke, Mr. Webb, and to the Executive.

Fiscal Impact: Positive for Erie County's economic development.  
 (5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

**AS AMENDED**

3.     Item            Page                                 -2004            (Intro. 6-3)  
**McCARVILLE, CHASE, KUWIK, SCHROEDER, HOLT, SMITH, SWANICK & MARSHALL**

WHEREAS, U.S. Route 219 is a major north/south traffic route from Erie County and the City of Buffalo to NYS Route 17/I-86 in Chautauqua County, and

WHEREAS, U.S. Route 219 travels through the Towns of West Seneca, Orchard Park, Boston, and Concord in Erie County and is widely referred to as the "Gateway to the Southtowns", and

WHEREAS, there has been a great deal of controversy in recent years over maintaining the current scenic and pastoral nature of U.S. Route 219, and

WHEREAS, many government officials, local residents, travelers, and commuters have expressed the sentiment that U.S. Route 219 retain its natural state, and

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WHEREAS, the Towns of Orchard Park, Boston and Concord have formed an ad hoc Joint Task Force to investigate the feasibility of a "Scenic Byway" designation for U.S. Route 219, and

WHEREAS, in order to guarantee this natural character and gain "Scenic Byway" status, U.S. Route 219 must first be designated by New York State, through its Department of Transportation, as a "Scenic Byway" under the National Scenic Byways Program, and

WHEREAS, once so designated and accepted by the federal government, U.S. Route 219 would be eligible for various federal improvements and assistance, including road design and redesign, safety features, highway management planning, tourism marketing, recreation opportunities, and the protection of adjacent areas from development, and

WHEREAS, "Scenic Byway" status would continue to foster the ongoing development of central and sub themes for the unique driving experience that U.S. Route 219 provides people,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby commend the work of the ad hoc Joint Task Force formed by the Towns of Orchard Park, Boston and Concord to investigate the feasibility of a "Scenic Byway" designation for U.S. Route 219, and be it further

RESOLVED, that the Erie County Legislature does hereby urge New York State, through its Department of Transportation, to designate U.S. Route 219 as a "Scenic Byway" in order to guarantee its scenic and pastoral nature, and be it further

RESOLVED, that this Honorable Body does hereby further urge the federal government to accept this designation once granted by New York State and allow U.S. Route 219 to become eligible for various federal improvements under the National Scenic Byways Program, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Pataki, New York State Department of Transportation, County Executive Giambra, Town of West Seneca, Town of Orchard Park, Town of Boston, Town of Concord, Chautauqua County, President Bush and U.S. Department of Transportation.

Fiscal Impact: None for the Resolution

(5-0) Legislator Smith absent. Chairman Holt present as Ex-Officio Member.

**MARK J. F. SCHROEDER**  
**CHAIRMAN**

MR. SCHROEDER moved to separate item #3 and moved the approval of the balance of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MR. SCHROEDER moved to amend item #3. MS. MARINELLI seconded.

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CARRIED UNANIMOUSLY.

- **ADD** the following co-sponsors: RANZENHOFER, WEINSTEIN & WROBLEWSKI.

MR. SCHROEDER moved the approval of the item as amended. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

Item 21 – MR. SMITH presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 107

March 11, 2004

HUMAN SERVICES  
 COMMITTEE  
 REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DEBENEDETTI. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following item is hereby received and filed.

- |    |   |      |       |              |
|----|---|------|-------|--------------|
| a. | Item  | Page | -2004 | (Comm. 6M-3) |
|    | <b>UNIVERSAL DRUG STORE:</b> Letter Re: the Online Purchase of Prescription Drugs. (5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member. |      |       |              |

2. Item Page -2004 (Comm. 6E-39)  
**COUNTY EXECUTIVE**

WHEREAS, the use of tobacco is a significant risk behavior contributing to the onset of and exacerbating such chronic diseases as heart disease, cancer, respiratory disease and diabetes, and

WHEREAS, the Erie County Department of Health has received a continuation grant award from the New York State Department of Health in the amount of \$454,300 for the period 6/1/03 – 7/31/04 to support the Comprehensive Community Based Tobacco Control & Prevention, Erie Niagara Tobacco Free Coalition, and

WHEREAS, the Roswell Park Cancer Institute has been selected by the Coalition as the lead agency to coordinate coalition activities, and

WHEREAS, interdepartmental funds will be allocated to offset accounting costs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the New York State Health Department to accept the grant which is budgeted as follows:

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**ERIE COUNTY LEGISLATURE**

Comprehensive Community Based Tobacco Control & Prevention  
 Erie Niagara Tobacco Free Coalition  
 6/1/03 – 7/31/04 Project #857

<b>SFG</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
553	State Aid	<u>\$ 389,400</u>	<u>\$64,900</u>	<u>\$ 454,300</u>
	<b>TOTAL</b>	<u>\$ 389,400</u>	<u>\$64,900</u>	<u>\$ 454,300</u>
<b>EXPENSES</b>				
825	Out Of Area Travel	\$ 1,470	\$ 0	\$ 1,470
830-1184	Contract HRI Roswell	369,930	61,655	431,585
882	Interdept. - Health Grants	2,000	3,245	5,245
932	Office Equipment	<u>16,000</u>	<u>0</u>	<u>16,000</u>
	<b>TOTAL</b>	<u>\$ 389,400</u>	<u>\$64,900</u>	<u>\$454,300</u>

and be it further

RESOLVED, that the Erie County Department of Health is authorized to enter into an amended subcontract with the Health Research Institute - Roswell Park Division in the amount of \$431,585 for the purpose of coordinating Coalition activities, and be it further

RESOLVED, that the subcontract with Health Research Institute -Roswell Park Division is a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(5-0) Legislator DeBenedetti absent. Chairman Holt present as Ex-Officio Member.

**DEMONE A. SMITH**  
**CHAIRMAN**

MR. SMITH moved the approval of the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 22 – MR. WROBLEWSKI presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 108

March 11, 2004

COMMUNITY ENRICHMENT  
 COMMITTEE  
 REPORT NO. 3

ALL MEMBERS PRESENT.

1. RESOLVED, that the following items are hereby received and filed.
  - a.
 

	Item	Page	-2003	(Comm. 10M-8)
	<b>AMERICAN ZOO &amp; AQUARIUM ASSOCIATION:</b>	Copy of Letter to President of Buffalo Zoological Gardens Re: Progress Report.		
	(5-0)			
  - b.
 

	Item	Page	-2003	(Comm. 12D-11)
	<b>ECC:</b>	Adoption of Final Public Scoping Document.		
	(5-0)			
  - c.
 

	Item	Page	-2003	(Intro. 15-26)
	<b>MARINELLI &amp; FISHER:</b>	Support for Buffalo Olmstead Parks Conservancy's Quest for Assistance in Proposal to Develop a Linear Park System Along Niagara River.		
	(5-0)			
  - d.
 

	Item	Page	-2003	(Comm. 16E-1)
	<b>MAJORITY CAUCUS:</b>	Copy of letter to River & Trails Program Re: Buffalo Olmstead Parks Conservancy Application.		
	(5-0)			
  - e.
 

	Item	Page	-2003	(Comm. 16E-36)
	<b>MARINELLI:</b>	Letter to Rivers & Trails Re: Linear Parks System.		
	(5-0)			
  - f.
 

	Item	Page	-2003	(Comm. 17M-7)
	<b>TOWN OF COLDEN:</b>	Certified Resolution Re: Support for West Falls Library.		
	(5-0)			
  - g.
 

	Item	Page	-2003	(Comm. 17M-8)
	<b>US DEPARTMENT OF INTERIOR:</b>	Letter to Legislator Marinelli Re: River & Trails Program.		
	(5-0)			
  - h.
 

	Item	Page	-2003	(Intro. 24-4)
	<b>CUSACK, SWANICK, LARSON, RANZENHOFER, McCARVILLE, CHASE &amp; FALKNER:</b>	Support for the Independence of the ECC Board of Trustees.		
	(5-0)			

**MEETING NO. 7**  
**March 18, 2004**

**ERIE COUNTY LEGISLATURE**

i. Item Page -2004 (Comm. 4D-3)  
**ECC: Minutes from Trustees Meeting Held 1/21/04.**  
 (5-0)

2. Item Page -2004 (Comm. 4E-12)  
**COUNTY EXECUTIVE**

WHEREAS, Erie County has undertaken a Commercial Facade Program through the federally funded Community Development Block Grant; and

WHEREAS, the objective of the Program is to financially assist owners of commercial properties operating retail/business establishments within city and village retail centers, and hamlets of Countywide significance located in Erie County Community Development Consortium Communities; and

WHEREAS, in order to successfully carry out the Program professional architectural services are required to complete certain technical components of the Commercial Facade Program to said communities,

NOW, THEREFORE, BE IT

RESOLVED, that the source of funds is money available within the Erie County Department of Environment and Planning Budget, DAC #290-835620830720, Facade Program -Commercial; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute a contract with Clinton Brown Company Architecture, P .C. for commercial facade architectural services in an amount not to exceed \$50,000; and be it further

RESOLVED, that the Clerk of the Erie County Legislature be directed to forward certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget, Management, and Finance; the County Attorney; and the Erie County Comptroller.  
 (5-0)

3. Item Page -2004 (Comm. 6E-29)  
**COUNTY EXECUTIVE**

WHEREAS, the Buffalo Convention Center Management Corporation (BCCMC) and the Buffalo Niagara Convention and Visitors Bureau (BNCVB) have requested approval from Erie County to change the name of the Buffalo Convention Center, which is owned by Erie County, to the Buffalo Niagara Convention Center; and

WHEREAS, the intent of this name change to the Buffalo Niagara Convention Center is to increase the ability of the Buffalo Convention and Visitors Bureau to enhance the business of tourism in our County and region by providing more consistency and focus to the BNCVB' s marketing strategy and efforts; and

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WHEREAS, Erie County places a high priority on the BNCVB' s mission to enhance the business of tourism in this County and this region, and also recognizes the economic importance and related tourism role of the Buffalo Convention Center, which hosts more than 350,000 people annually with an estimated impact of \$40 million on our local economy; and

WHEREAS, Erie County anticipates that more consistent, focused marketing will result from this name change and this will ultimately result in an increased return on the County's significant investment in tourism related purposes,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreement with the Buffalo Convention Center Management Corporation, and other necessary parties, in order to change the name of the Buffalo Convention Center to the Buffalo Niagara Convention Center; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive; the County Comptroller; the Director of the Division of Budget, Management, and Finance; the Commissioner of the Department of Environment and Planning; Paul Murphy, Executive Director, Buffalo Convention Center Management Corporation, One Convention Center Plaza, Buffalo, New York 14202, and Richard Geiger, President/CEO, Buffalo Niagara Convention and Visitors Bureau, 617 Main Street, Suite 400, Buffalo, New York 14203-1496.

(5-0)

4. Item Page -2004 (Comm. 6E-34)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Parks, Recreation & Forestry desires to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2003 - 2004 snowmobile season in an amount not to exceed \$71,441.58, and

WHEREAS, the sum of \$1,000.00 is budgeted as a state revenue for snowmobile development in the 2004 Adopted Budget of the Division of Parks, and

WHEREAS, this agreement with the State shall pertain to such maintenance as performed by the Erie County Department of Parks, Recreation and Forestry within the County parks and forest lots, as well as similar work performed by the individual Snowmobile Clubs of Erie County on club trails located outside County-owned lands,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$71,441.58 as pertains to snowmobile trail maintenance performed during the 2003-2004 snowmobile season, and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the individual Snowmobile Clubs of Erie County for a total amount not to exceed \$66,420.20 for the purpose of snowmobile trail maintenance on club trails during the 2003-2004 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

Colden Trail Riders Inc.	\$ 4,942.83
Eden Trail Blazers Inc.	\$ 4,579.10
Grand Island Snowmobile Club Inc.	\$ 3,283.21
Hamburg Snowmobile Club Inc.	\$ 7,728.72
Holland Sno-Rascals Inc.	\$ 4,673.48
Marilla Sno-Mob Inc.	\$ 7,972.39
Northern Erie Snowseekers Inc.	\$ 9,885.67
Pioneer Sno-Surfers Inc.	\$ 3,971.69
Southern Tier Snowdrifters Inc.	\$ 8,979.56
WNY Snowmobile Club of Boston Inc.	\$10,403.55

and be it further

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, project 942, dept. 640, account 553, in the amount of \$66,420.20, and an increase in appropriations in the amount of \$66,420.20, in the Division of Parks, fund 110, project 942, dept. 640, account 830, in order that funds may be available to make payment to the individual clubs of the Erie County Federation of Snowmobile Clubs, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning, and Assistant County Attorney, Greg Dudek, of the Law Department.  
 (5-0)

5. Item Page -2004 (Comm. 6E-40)

**COUNTY EXECUTIVE**

WHEREAS, the Buffalo Niagara Convention and Visitors Bureau's (BNCVB) mission is to promote our region nationally and world-wide as a convention, tourism, leisure and business destination for the economic benefit of our community and region; and

WHEREAS, Erie County places a high priority on the BNCVB's mission, and major foundations and corporate leaders in Erie County agree that growing the business of tourism, particularly cultural tourism, in our County and region is a critical component in our economic revitalization efforts; and

WHEREAS, in its previous contractual agreements with Erie County, the Buffalo Niagara Convention and Visitors Bureau was designated as the Tourism Promotion Agency (TPA) for Erie County, and was charged with promoting the region's cultural and heritage tourism assets, outdoor recreation amenities, convention and sports facilities; and

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**ERIE COUNTY LEGISLATURE**

WHEREAS, based on the BNCVB's proposed 2004 Buffalo Niagara Marketing Plan, and related "Erie County-BNCVB Scope of Services", Erie County has determined that the Buffalo Niagara Convention and Visitors Bureau should be designated as the 2004 Tourism Promotion Agency for Erie County, and that up to \$2.9 million in bed tax revenues, as deposited in the Erie County General Fund, be made available to the Buffalo Niagara Convention and Visitors Bureau to significantly enhance the business of tourism in the County and region, and such tourism activities will focus on promoting our cultural tourism resources e.g. architecture, visual arts, and family attractions, among others, as well activities that feature our natural resource/recreational tourism potential e.g. sports fishery industry; and such promotion activities will include ongoing analysis of outcomes,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a agreement with the Buffalo Niagara Convention and Visitors Bureau which will designate the Buffalo Niagara Convention and Visitors Bureau as the 2004 Tourism Promotion Agency (TPA) for Erie County; and be it further

RESOLVED, that the 2004 Erie County-Buffalo Niagara Convention and Visitors Bureau Agreement will provide up to \$2.9 million dollars in hotel bed tax revenues, deposited in the General Fund of the 2004 Erie County Budget and allocated to Tourism, Visitors and Convention Services in DAC 110 9223028301885, to the Buffalo Niagara Convention and Visitors Bureau for such purposes; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, County Comptroller; Director of the Division of Budget, Management, and Finance; the Commissioner of the Department of Environment and Planning; and Richard Geiger, President/CEO, Buffalo Niagara Convention and Visitors Bureau, 617 Main Street, Suite 400, Buffalo, NY 14203-1496.  
 (5-0)

**TIMOTHY M. WROBLEWSKI**  
**CHAIRMAN**

MR. WROBLEWSKI moved the approval of the resolution. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 23 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 109

March 11, 2004

PUBLIC SAFETY  
 COMMITTEE  
 REPORT NO. 3

**MEETING NO. 7**  
**March 18, 2004**

**ERIE COUNTY LEGISLATURE**

ALL MEMBERS PRESENT. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following items are hereby received and filed.
  - a. Item Page -2003 (Comm. 9M-12)  
**ASSEMBLYMAN SMITH: NYS Wireless Surcharge.**  
 (5-0)
  - b. Item Page -2003 (Comm. 24M-6)  
**COUNTY COURT JUDGE TIMOTHY J. DRURY: Letter to Legislators Re: Probation Officer Staffing.**  
 (5-0)
  - c. Item Page -2004 (Comm. 4E-54)  
**COUNTY EXECUTIVE: NYS Weapons of Mass Destruction Task Force Grant.**  
 (5-0)
  - d. Item Page -2004 (Intro. 6-20)  
**KUWIK, DUSZA & DEBENEDETTI: EC Holding Center – Buffalo Police Cell Block.**  
 (6-0) Chairman Holt present as Ex-Officio Member.

2. Item Page -2004 (Comm. 6E-20)  
**COUNTY EXECUTIVE**

WHEREAS, the New York State Weapons of Mass Destruction (WMD) Task Force Has agreed to provide funding in the amount of \$575,293 in Federal assistance to implement a program to enhance the ability of Erie County to manage emergency and disaster situations, and

WHEREAS, Legislative Resolution dated December 11, 2003, (Comm. 25E-15) authorized a grant in the amount of \$575,293 in Federal resources to implement the training, exercising, and evaluation of First Responders capabilities to deal with chemical, biological, radiological, nuclear, and explosive (CBRNE) incidents; and

WHEREAS, a part-time intern-Homeland Security, JG-1 will be retained; the Homeland Security and Training Coordinator JG-10 position will be upgraded to a JG-11, and the upgrade of the current Deputy Commissioner-Office of Disaster Preparedness in the Department of Emergency Services (DES) from JG-13 to JG-14 will continue in order to implement this program; and

WHEREAS, exercise design, implementation and training will be conducted by Emergency Services staff in place of hiring Ecology and Environment, Inc. as a consultant; and

WHEREAS, the grant will fund the cost of equipment, supplies, travel, and other expenses involved with this program.

NOW, THEREFORE, BE IT

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**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Intern-Homeland Security (part-time), JG-1 be retained and that the Homeland Security and Training Coordinator JG-10 be upgraded to JG-11 and hereby be authorized in the HSEEP Grant; and be it further

RESOLVED, that the grant be revised to reflect the proper amounts with the upgrade of the Homeland Security and Training Coordinator position to JG 11, and be it further

RESOLVED, that the grant also be revised to reflect that exercise design, implementation and training that will be conducted by the Department of Emergency Services staff in place of Ecology and Environment, Inc., and be it further

RESOLVED, that the proper equipment, supplies, travel, and other expenses will be covered under this grant, and be it further

RESOLVED, that the following budgetary accounts be revised in order to complete the above tasks:

Department of Homeland Security  
 Homeland Security Exercise and Evaluation Program (HSEEP) Grant

Revenue	Present Legislation	Proposed New Revision	Revised Grant
SFG684-Federal Aid-Other	\$575,293	\$ 0	\$575,293.
Appropriations:			
SFG800-Personnel	\$ 75,155	\$+ 75,774.	\$150,929.
SFG801-overtime	\$ 0	\$+ 12,500	\$ 12,500.
SFG805-Fringe Benefits	\$ 26,304	\$+ 8,348	\$ 34,652.
SFG810-Office Supplies	\$ 44,973	\$- 4,973	\$ 40,000.
SFG811-Protective Clothing	\$ 0	\$+ 25,000	\$ 25,000
SFG821-Dues and Fees	\$ 11,912	\$- 11,912	\$ 0
SFG825-Out of Area Travel	\$ 27,983	\$- 16,963	\$ 11,020
SFG826-Other Expenses	\$ 28,312	\$+ 49,147	\$ 77,459
SFG830-Contractual Svces.	\$150,234	\$-115,234	\$ 35,000
SFG880-6200 Interfund Payments-DEP	\$ 80,010	\$- 80,010	\$ 0
SFG880-6700 Interfund Payments-DES	\$ 15,478	\$+ 3,255	\$ 18,733
SFG933-Lab and Tech. Equipment	<u>\$114,932</u>	<u>\$+ 55,068</u>	<u>\$170,000</u>
Total Expenditures	\$575,293	\$ 0	\$575,293

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget, Management and Finance, the Department of Personnel, the Department of Emergency Services, the Department of Central Police Services, the County Comptroller, and the County Attorney.

(5-0)

3. Item Page -2004 (Comm. 6E-32)  
**COUNTY EXECUTIVE**

WHEREAS, funds have been received from the recovery of costs incurred from the response to incidents by the Erie County Hazardous Materials Organization (ECHO), and

WHEREAS, these funds are presently maintained in a special Trust and Agency Account to be used for the All-Volunteer ECHO Team, and

WHEREAS, these funds will allow the team to purchase updated equipment, needed supplies, and allow the All-Volunteer ECHO Team members to travel out of town to advanced training.

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to transfer the necessary funds that are currently maintained in a Trust and Agency Account to establish a ECHO Grant, and be it further

RESOLVED, that the following budgetary transactions are authorized in order to establish a grant which will assist in the purchase of updated equipment, needed supplies, and to attend advanced training out of town:

Department of Emergency Services  
 ECHO Grant #VII

Revenue	<u>\$2700</u>
SFG -	\$2700
TOTAL	

Appropriations

SFG825 – Long Distance Travel	1000
SFG826 – Other Expenditures	700
SFG933 – Lab and Tech. Equipment	<u>1000</u>
TOTAL	\$2700

And be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller and the Department of Emergency Services.

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**March 18, 2004**

**ERIE COUNTY LEGISLATURE**

(5-0)

4. Item Page -2004 (Comm. 6E-36)  
**COUNTY EXECUTIVE**

WHEREAS, it is the desire of the County of Erie, Department of Central Police Services to extend the current contract of a communications/information systems integrator consultant for the Regional Public Safety Campus project, and

WHEREAS, the firm of L. Robert Kimball & Associates was deemed to have submitted the best overall proposal in 2002 and was awarded the initial contract, and

WHEREAS, as additional funding becomes available, the Department of Central Police Services wants to extend the existing contract with their Communications Consultant, L. Robert Kimball, and

WHEREAS, this extension of the current contract will include the work required under the Interoperable Communications Equipment grant,

NOW, THEREFORE, BE IT

RESOLVED, that the agreement with L. Robert Kimball & Associates, 437 Grant Street, Frick Building, Suite 1102, Pittsburgh, PA 15219 is extended at a cost not to exceed \$480,000 to provide consulting services for the Interoperable Communications Equipment Grant Initiative, and be it further

RESOLVED, that funds for this agreement will be allocated from the funds from the ICE Grant which are in County's Capital Budget under the Regional Public Safety Project 410-341, and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an agreement with L. Robert Kimball & Associates subject to approval as to form by the County Attorney; and be it further

RESOLVED, that certified copies of this resolution are to be forwarded to the County Executive, the Director of Budget, Management and Finance, the Comptroller, the Commissioner of Public Works, the Department of Emergency Services and the Commissioner of Central Police Services.

(5-0)

**EDWARD J. KUWIK**  
**CHAIRMAN**

MR. KUWIK moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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**ERIE COUNTY LEGISLATURE**

Item 24 – MR. DEBENEDETTI presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 110

March 15, 2004

FINANCE & MANAGEMENT  
 COMMITTEE  
 REPORT NO. 4

ALL MEMBERS PRESENT. CHAIRMAN HOLT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following item is hereby received and filed.

- a. Item Page -2004 (Comm. 1E-25)  
**COMPTROLLER:** Sales & Use Tax Exemption – Parks, Recreation & Forestry for Period 1/1/00 – 9/10/03.  
 (6-0) Chairman Holt present as Ex-Officio member.

- 2. Item Page -2004 **AS AMENDED** (Comm. 1D-21)  
**DIRECTOR OF BUDGET, MANAGEMENT & FINANCE**

WHEREAS, the Erie County Director of Real property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556 and

WHEREAS, the Director has investigate the validity of such applications (see attached listing) now therefore be it,

RESOLVED, that petitions numbered 204097 through 204120 inclusive be hereby approved or denied base upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR	2004	Petition No.	204097
	ASSESSOR	Cancel	\$1,051.53
S-B-L	142.37-2-12	140900	LACKAWANNA
	Acct. No. 112	\$1,051.53	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140900 LACKAWANNA	\$0.00	

CANCEL- CLERICAL ERROR, PARCELS ACQUIRED BY THE CITY OF LACKAWANNA THROUGH FORCLOSURE. THE EXEMPTION WAS OMITTED FROM THE TAX ROLL.

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**March 18, 2004**

**ERIE COUNTY LEGISLATURE**

RPTL 550(2)C

FISCAL YEAR 2004                      Petition No.                      204098

	ASSESSOR	Cancel	\$1,476.23	
S-B-L	16.00-5-28.2		142289 AMHERST	
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$1,476.23	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$1,476.23	

CANCEL - CLERICAL ERROR, THE GALLONAGE USED FOR THE CALCULATION OF THE SEWER TAX WAS INCORRECT. THE GALLONAGE USED WAS 90,580 AND SHOULD BE 8808. RPTL 550(2)E

FISCAL YEAR 2004                      Petition No.                      204099

	ASSESSOR	Cancel	\$24.30	
S-B-L	27.00-2-20		142289 AMHERST	
	Acct. No. 112		\$9.98	County
	Acct. No. 132		\$14.32	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$14.32	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 108,000 AND SHOULD BE 105,800. RPTL 550(2)A

FISCAL YEAR 2004                      Petition No.                      204100

	ASSESSOR	Cancel	\$451.22	
S-B-L	28.02-9-45		142289 AMHERST	
	Acct. No. 112		\$158.77	County
	Acct. No. 132		\$292.45	Town/SpecialDist/School
	22029 SWORMSVILE FIRE PROTECTION		\$47.54	
<u>Charge To :</u>	142289 AMHERST		\$244.91	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 142,000 AND SHOULD BE 107,000.



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**ERIE COUNTY LEGISLATURE**

FISCAL YEAR 2003                      Petition No.                      204105  
    ASSESSOR                      Refund                      \$672.27

S-B-L 68.14-7-26    142289 AMHERST

   Acct. No. 112    \$0.00      County  
    Acct. No. 132    \$672.27    Town/SpecialDist/School  
     41854 BASIC STAR EXEMPTION                      \$672.27

Charge To :                                      142289 AMHERST    \$0.00

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C AMHERST CENTRAL CHECK FOR: JOHN & MARIA WITKOWSKI

FISCAL YEAR 2004                      Petition No.                      204106  
    ASSESSOR                      Cancel                      \$118.47

S-B-L 80.08-6-37    142201 WILLIAMSVILLE

   Acct. No. 112    \$49.91      County  
    Acct. No. 132    \$68.56      Town/SpecialDist/School  
Charge To :                                      142201 WILLIAMSVILLE    \$68.56

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 106,000 AND SHOULD BE 95,000. RPTL 550(2)A

FISCAL YEAR 2004                      Petition No.                      204107  
    ASSESSOR      Cancel                      \$73.67

S-B-L 81.06-3-65    142201 WILLIAMSVILLE

   Acct. No. 112    \$30.85      County  
    Acct. No. 132    \$42.82      Town/SpecialDist/School  
Charge To :                                      142201 WILLIAMSVILLE    \$42.82

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 88,900 AND SHOULD BE 78,900. RPTL 550(2)A

FISCAL YEAR 2004                      Petition No.                      204108

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**March 18, 2004**

**ERIE COUNTY LEGISLATURE**

ASSESSOR            Cancel            \$150.00

S-B-L    81.12-3-10.1/8 (2)                            142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$150.00	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$150.00

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED IN ERROR FOR THE SEWER PRE TREAT SURCHARGE. RPTL 550(2)E

FISCAL YEAR 2004                            Petition No.            204109

ASSESSOR            Cancel            \$135.66

S-B-L    305.00-1-18                                    143889 CONCORD

Acct. No. 112	\$77.12	County
Acct. No. 132	\$58.54	Town/SpecialDist/School
<u>Charge To :</u>	143889 CONCORD	\$58.54

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 18,656 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004                            Petition No.            204110

ASSESSOR            Cancel            \$275.83

S-B-L    307.00-2-48.21                                    143889 CONCORD

Acct. No. 112	\$194.60	County
Acct. No. 132	\$81.23	Town/SpecialDist/School
<u>Charge To :</u>	143889 CONCORD	\$81.23

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 15,097 SHOULD BE ENTERED ON THE TAX ROLL AS 40,987. RPTL 550(2)B

FISCAL YEAR 2004                            Petition No.            204111

ASSESSOR            Cancel            \$343.43

S-B-L    333.00-2-14                                        143889 CONCORD

Acct. No. 112	\$242.30	County
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**March 18, 2004**

**ERIE COUNTY LEGISLATURE**

<u>Charge To :</u>	Acct. No. 132	\$101.13	Town/SpecialDist/School
	143889 CONCORD		\$101.13

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 32,236 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004                      Petition No.                      204112

ASSESSOR                      Cancel                      \$79.09

S-B-L 336.01-1-9.11                      143889 CONCORD

<u>Charge To :</u>	Acct. No. 112	\$55.80	County
	Acct. No. 132	\$23.29	Town/SpecialDist/School
	143889 CONCORD		\$23.29

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 7,425 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2004                      Petition No.                      204113

ASSESSOR                      Cancel                      \$909.03

S-B-L 630.003-999-132.                      143003 DEPEW

<u>Charge To :</u>	Acct. No. 112	\$198.45	County
	Acct. No. 132	\$710.58	Town/SpecialDist/School
	143003 DEPEW		\$710.58
	Relevy School	\$488.09	145201 LANCASTER CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE PARCEL.  
RPTL 550(2)F

FISCAL YEAR 2004                      Petition No.                      204114

ASSESSOR                      Cancel                      \$349.81

S-B-L 246.19-3-5                      145000 HOLLAND

	Acct. No. 112	\$166.88	County
	Acct. No. 132	\$182.93	Town/SpecialDist/School
50020 HOLLAND FIRE DIST #1		\$51.64	





**MEETING NO. 7**  
**March 18, 2004**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$277.00	Town/SpecialDist/School
<u>Charge To :</u>	144489 EVANS		\$277.00

REFUND - CLERICAL ERROR, THIS PARCEL DOES NOT USE GARBAGE SERVICE.  
 THE GARBAGE TAX WAS PLACED ON PARCEL IN ERROR. RPTL 550(2)E  
 CHECK FOR: MICHAEL & KELLIE CHIAVETTA  
 (6-0) Chairman Holt present as Ex-Officio member.

3. Item Page -2004 (Comm. 6E-15)

**COUNTY EXECUTIVE**

WHEREAS, Assembly Bill A. 9862 and Senate Bill S. 6125, now pending before the New York State Legislature, would authorize Erie County to offer an early retirement incentive to certain Erie County employees;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill A. 9862, entitled "AN ACT to provide a temporary retirement incentive for certain public employees within Erie County."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

WHEREAS, Senate Bill S. 6125 and Assembly Bill A. 9862, now pending before the New York State Legislature, would authorize Erie County to offer an early retirement incentive to certain Erie County employees;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

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Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill S. 6125, entitled "AN ACT to provide a temporary retirement incentive for certain public employees within Erie County."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

(6-0) Chairman Holt present as Ex-Officio member.

**ALBERT DEBENEDETTI**  
**CHAIRMAN**

MR. DEBENEDETTI moved to separate item #3 and moved the approval of the balance of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MR. DEBENEDETTI moved the approval of item #3. MS. MARINELLI seconded.

CHAIRMAN HOLT directed that a roll call vote be taken.

AYES: CHASE, CUSACK, MARSHALL, McCARVILLE, RANZENHOFER, SWANICK, WEINSTEIN, DEBENEDETTI, DUSZA, HOLT, KUWIK, MARINELLI, SCHROEDER, SMITH & WROBLEWSKI,. (AYES 15, NOES 0).

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 25 – CHAIRMAN HOLT directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Intro. 7-1 From LEGISLATOR DUSZA Re: Opposition to Governor Pataki's Proposed Budget Cutting Transportation Infrastructure Funding.

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Item 26 – MS. MARINELLI presented the following resolution and moved for the item to be received and filed. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Intro. 7-2 From LEGISLATOR SWANICK Re: Legislature Authorization for Transfer of Surplus Computers Pursuant to Intro 24-5 (2003) to Grand Island Golden Age Center.

Item 27 – CHAIRMAN HOLT directed that the following resolution be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Intro. 7-3 From LEGISLATORS MARSHALL & MINORITY CAUCUS Re: Capping the Local Share of Medicaid.

Item 28 – CHAIRMAN HOLT directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 7-4 From LEGISLATORS RANZENHOFER & MINORITY CAUCUS Re: Sheriff's Stop Underage Drinking Program.

Item 29 – MS. MARINELLI presented the following resolution and moved for the item to be received and filed. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Intro. 7-5 From LEGISLATORS DEBENEDETTI, DUSZA, KUWIK & MINORITY CAUCUS Re: Correction of Typographical Error Intro 5-7 (2004).

Item 30 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 111

Re: Consideration for Public Benefit  
Funding. (Intro. 7-6)

A RESOLUTION SUBMITTED BY  
LEGISLATOR McCARVILLE

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

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WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for Public Benefit Funding to the following organizations:

<b>NAME OF ORGANIZATION</b>	<b>RECOMMENDED AMOUNT</b>	<b>SPONSOR</b>
Orchard Park Chamber of Commerce	\$4 000	McCARVILLE
O.P. Council of the Arts	\$1,500	McCARVILLE
TOTAL	\$5,500	

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Harry V. Wahl -Chief- of-Staff, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

Fiscal Impact: None

MR. RANZENHOFER moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 31 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 112

Re: Consideration for Public Benefit  
Funding. (Intro. 7-7)

A RESOLUTION SUBMITTED BY  
LEGISLATOR MARSHALL

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WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for Public Benefit Funding to the following organizations:

<b>NAME OF ORGANIZATION</b>	<b>RECOMMENDED AMOUNT</b>	<b>SPONSORS</b>
Landmark Society of the Niagara Frontier	\$6,000	MARSHALL

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Harry V. Wahl -Chief- of-Staff, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

Fiscal Impact: None

MR. RANZENHOFER moved the approval of the resolution. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

Item 32 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 113

Re: Consideration for Public Benefit  
Funding. (Intro. 7-8)

A RESOLUTION SUBMITTED BY  
LEGISLATOR SWANICK

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WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

WHEREAS, on February 5, 2004, the Erie County Legislature unanimously approved as amended Intro 4-15 designating the Town of Grand Island to receive an application for \$3,000 in Public Benefit Funding, and be it further

NOW, THEREFORE, BE IT

RESOLVED, the designation of \$3,000 for the Town of Grand Island per Intro 4-15 be reallocated to a new and proper designation per the passage of this resolution, and be it further

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for Public Benefit Funding to the following organizations:

<b>NAME OF ORGANIZATION</b>	<b>RECOMMENDED AMOUNT</b>	<b>SPONSORS</b>
Grand Island Central School District	\$3,000	SWANICK

And be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1400.00 from the fund (1109233108050109) to a separate sub-account under agency payments monitored by the Erie County Stop DWI Program, General Fund 282, Project 181, Department 110, Account 686, Sub-account 1100 (2821811106861100), and be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Harry V. Wahl -Chief- of-Staff, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

Fiscal Impact: None

MR. RANZENHOFER moved the approval of the resolution. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

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Item 33 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 114

Re: Consideration for Public Benefit  
 Funding. (Intro. 7-9)

A RESOLUTION SUBMITTED BY LEGISLATORS  
 WEINSTEIN, CHASE & CUSACK

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No. 3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization, and

WHEREAS, on February 5, 2004, the Erie County Legislature unanimously approved Intro. 4-8, as amended, designating the Williamsville Business Association to receive an application for Public Benefit Funding, and on February 19, 2004, the Erie County Legislature unanimously approved Intro. 5-10, as amended, designating the Amherst Soccer Association to receive an application for Public Benefit Funding, and

WHEREAS, on March 4, 2004, the Erie County Legislature unanimously approved Intro. 6-10, as amended, designating the Town of Hamburg to receive an application for Public Benefit Funding, and also unanimously approved Intro. 6-11 designating the Amherst Task Force and Amherst Refuse Control to receive applications for Public Benefit Funding,

NOW, THEREFORE, BE IT

RESOLVED, the designation for the Williamsville Business Association per Intro. 4-8 be reallocated to a new and proper designation per the passage of this resolution, and be it further

RESOLVED, the designation for the Amherst Soccer Association per Intro. 5-10 be reallocated to an increased allocation and designation per the passage of this resolution, and be it further

RESOLVED, the designation for the Town of Hamburg per Intro. 6-10 be reallocated to an increased allocation and designation per the passage of this resolution, and be it further

RESOLVED, the designations for the Amherst Task Force and the Amherst Refuse Control per Intro. 6-11 be reallocated to new allocations and designations per the passage of this resolution, and be it further

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RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for Public Benefit Funding to the following organizations:

<b>NAME OF ORGANIZATION</b>	<b>RECOMMENDED AMOUNT</b>	<b>SPONSORS</b>
Village Preservation Foundation, Inc.	\$2,000	WEINSTEIN
Amherst Soccer Association	\$4,000	WEINSTEIN
Safe Homes (ECCPASA)	\$2,000	WEINSTEIN
Harvest House	\$1,000	WEINSTEIN
Amherst Task Force	\$4,000	WEINSTEIN & CUSACK
Amherst Refuse Control	\$1,000	CUSACK
WNY Red Light Running Foundation	\$1,000	CUSACK
Graycliff Conservancy	\$5,000	CUSACK
Town of Hamburg	\$18,823	CHASE
<b>TOTAL</b>	<b>\$38,823</b>	

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Harry V. Wahl -Chief- of-Staff, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

Fiscal Impact: None

MR. RANZENHOFER moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 34 – CHAIRMAN HOLT directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 7-10 From LEGISLATOR MARINELLI Re: Erie County's Lobbyist & Legislative Oversight.

Item 35 – CHAIRMAN HOLT directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

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GRANTED.

Intro. 7-11 From LEGISLATOR DUSZA Re: Protecting Consumers Using Retail Self-Scanning Technology.

Item 36 – CHAIRMAN HOLT directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 7-12 From LEGISLATOR SWANICK Re: Accrued Vacation Bank Time.

Item 37 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 115

Re: Consideration for Public Benefit Funding. (Intro. 7-13)

A RESOLUTION SUBMITTED BY LEGISLATORS RANZENHOFER,  
 CHASE, McCARVILLE, CUSACK & MARSHALL

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for Public Benefit Funding to the following organizations:

NAME OF ORGANIZATION	RECOMMENDED AMOUNT	SPONSORS
Associated Builders and Contractors	\$10,000	RANZENHOFER , CHASE, McCARVILLE, CUSACK & MARSHALL
Williamsville North School PTSA	\$1,000	RANZENHOFER
Clarence Soccer Club, Inc.	\$3,000	RANZENHOFER
Akron Celebration Committee	\$1,000	RANZENHOFER
TOTAL	\$15,000	

And be it further

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RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Harry V. Wahl -Chief- of-Staff, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

Fiscal Impact: None.

MR. RANZENHOFER moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 38 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 116

Re: Consideration for Public Benefit  
Funding. (Intro. 7-14)

A RESOLUTION SUBMITTED BY LEGISLATORS CHASE,  
 McCARVILLE, CUSACK, WEINSTEIN, MARSHALL,  
 RANZENHOFER, WROBLEWSKI & SWANICK

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize an application to be sent out for Public Benefit Funding to the following organizations:

NAME OF ORGANIZATION	RECOMMENDED AMOUNT	SPONSORS
Drums Along the Waterfront	\$11,000	McCARVILLE, CUSACK, CHASE, WEINSTEIN, MARSHALL & RANZENHOFER
Cradle Beach Camp	\$10,000	CHASE, CUSACK, McCARVILLE, WEINSTEIN, MARSHALL,

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		RANZENHOFER, WROBLEWSKI & SWANICK
TOTAL	\$21,000	

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Administrator of the Erie County Legislature; Harry V. Wahl -Chief- of-Staff, Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek & Melissa O. Heimerl.

Fiscal Impact: None

MR. RANZENHOFER moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 39 – CHAIRMAN HOLT directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 7-15 From LEGISLATORS HOLT & MARINELLI Re: Support for Regionalism by Negotiation -The Erie County Compact Act.

Item 40 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 117

Re: Consideration for Public Benefit  
Funding. (Intro. 7-16)

A RESOLUTION SUBMITTED BY  
LEGISLATOR SCHROEDER

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No. 3-2002, and

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WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

WHEREAS, on January 22, 2004, the Erie County Legislature unanimously approved Intro 3-2 designating Union Occupational Health Center to receive an application for \$1,000 in Public Benefits Funding,

NOW, THEREFORE, BE IT

RESOLVED, that the designation of \$1,000 for Union Occupational Health Center per Intro 3-2 be reallocated and added to a new allocation and designation per the passage of this resolution, and be it further

RESOLVED, that the Erie County Legislature does hereby authorize its Public Benefit Administrator to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Cheektowaga Senior Center	\$ 1,000	SCHROEDER
<b>TOTAL</b>	<b>\$ 1,000</b>	

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Benefit Administrator of the Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek and Melissa O. Heimerl.

Fiscal Impact: None.

MS. MARINELLI moved the approval of the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 41 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 118

Re: Consideration for Public Benefit  
 Funding. (Intro. 7-17)

A RESOLUTION SUBMITTED BY LEGISLATORS  
 DUSZA AND WROBLEWSKI

WHEREAS, the Legislature set aside Public Benefit Funds in the 2004 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No. 3-2002, and

WHEREAS, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize its Public Benefit Administrator to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Precious Blood Parish Community	\$ 1,500	DUSZA
Visitation R.C. Church	\$ 1,500	DUSZA
St. Agnes Parish Youth Group	\$ 1,500	DUSZA
Boy Scouts of America, Troop 236	\$ 500	DUSZA
North Cheektowaga Amateur Athletic Association	\$ 750	DUSZA
New York District of Kiwanis International Foundation, Inc.	\$ 3,000	WROBLEWSKI
West Seneca Satellite of Variety Club Telethon	\$ 4,000	WROBLEWSKI
<b>TOTAL</b>	<b>\$ 12,750</b>	

And be it further

RESOLVED, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Public Benefit Administrator of the Erie County Legislature; and Assistant County Attorneys Susannah M. Bochenek and Melissa O. Heimerl.

Fiscal Impact: None.

MR. DUSZA moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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- **ADD** the following co-sponsors: DEBENEDETTI and KUWIK
- **DELETE** the first resolved clause in its entirety and replace with the following:

RESOLVED, that the Erie County legislature does hereby authorize its Public Benefit Administrator to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Precious Blood Parish Community	\$ 1,500	DUSZA
Visitation R.C. Church	\$ 1,500	DUSZA
St. Agnes Parish Youth Group	\$ 1,500	DUSZA
Boy Scouts of America, Troop 236	\$ 500	DUSZA
North Cheektowaga Amateur Athletic Association	\$ 750	DUSZA
New York District of Kiwanis International Foundation, Inc.	\$ 3,000	WROBLEWSKI
West Seneca Satellite of Variety Club Telethon	\$ 4,000	WROBLEWSKI
Town of Cheektowaga – Dartwood Park	\$ 7,500	WROBLEWSKI
Holy Cross Head Start, Inc.	\$ 1,000	DEBENEDETTI
Literacy Volunteers	\$ 1,000	DEBENEDETTI
Excalibur Leisure Skills Center	\$ 1,200	DEBENEDETTI
The Classis Dance Company of WNY, Inc.	\$ 1,000	KUWIK
<b>TOTAL</b>	<b>\$ 24,450</b>	

and be it further

MR. DUSZA moved the approval of the resolution as amended. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 42 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 119

Re: Transfer of Public Benefit Funds.  
(Intro. 7-18)

A RESOLUTION SUBMITTED BY LEGISLATORS  
DEBENEDETTI, DUSZA, KUWIK, RANZENHOFER, CHASE,  
CUSACK, MARSHALL, McCARVILLE, SWANICK & WEINSTEIN

WHEREAS, the Legislature set aside funds in the 2003 Erie County Budget for use by worthy community organizations and governmental agencies, and

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WHEREAS, Intro. 5-7 (2004), approved on February 19, 2004, contained a typographical error in the calculated total transfer amount from the 2003 Legislature - Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services (110921301830), and

WHEREAS, this resolution will serve to correct the \$100,004 total listed in Intro. 5-7 to correctly reflect the total as \$104,004, and

WHEREAS, no changes have been made to individual agency allocations,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby correct the typographical error in Intro. 5-7 (2004) to read as follows:

The Erie County Legislature does hereby approve the transfer of **\$104,004** from for payment to the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>	<u>SPONSOR</u>
City of Lackawanna	830/0315.	\$2,550	KUWIK
Northwest Buffalo C	830/0356	\$42,500	DEBENEDETTI
Brant Volunteer Fire	830/0675	\$3,000	CHASE
City of Lackawanna Youth Board & Youth Bureau	830/0677	\$2,500	KUWIK
Kids Voting WNY	830/0900	\$17,000	MINORITY
Akron/ Newstead Senior Citizens, Inc.	830/1122	\$15,000	RANZENHOFER
21 st Ward Independence Day Association, Inc.	830/1844	\$6,000	DEBENEDETTI
Kenmore Tonawanda Union Free School District -Edison Elementary School	830/1848	\$2,000	CUSACK
Town Park Homeowners Association, Inc.	830/1873	\$1,500	DUSZA
Cedar Grove Taxpayers Association	830/	\$1,000	DUSZA
North Collins EMS	830/	\$1,454	CHASE
Town of Cheektowaga Council Office	830/	\$5,000	DUSZA
F.I.S.H. of East Aurora, Inc.	830/	\$2,000	McCARVILLE
Holy Cross Church	830/	\$2,500	DEBENEDETTI
<b>TOTAL</b>		<b>\$104,004</b>	

And be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

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RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Crystal L. Quick- Assistant Public Benefit Administrator; and Assistant County Attorneys Susannah Bochenek and Melissa Heimerl.

Fiscal Impact: None

MS. MARINELLI moved the approval of the resolution as amended. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

Item 43 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 120

Re: Transfer of Funds.  
(Intro. 7-19)

A RESOLUTION SUBMITTED BY LEGISLATOR HOLT

WHEREAS, the legislature set aside funds in the 2004 Erie County Budget for payment of district office space rental, and

NOW, THEREFORE, BE IT

MS. MARINELLI moved to amend the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

- **ADD** the following **RESOLVE** Clauses:

RESOLVED, that the Erie County Legislature hereby transfers \$5,000 from DAC 110905100826 (Legislature – Other Expenses) to DAC 110905100822 (Legislature – Rental Charges) and be it further

RESOLVED, that certified copies of this resolution be submitted to the County Executive, Budget Director, and Comptroller.

MS. MARINELLI moved to approval of the resolution as amended. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

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Item 44 – MS. MARINELLI moved to discharge the COMMUNITY ENRICHMENT COMMITTEE from further consideration of Comm. 6E-33 (2004). MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 121

Re: DSS – Literacy Volunteers of Buffalo and Erie County.

WHEREAS, the Department of Social Services is requesting authorization to amend the 2004 Adopted Budget by restoring funding to that amount provided in 2003 to Literacy Volunteers of Buffalo and Erie County, and

WHEREAS, it is necessary to increase this budget amount for literacy education and tutoring services to insure service continuity to the clientele served by this program who would otherwise not have access to free literacy services from another service provider, and

WHEREAS, significant reductions in the levels of funding awarded to counties by New York State have made the planning and budgeting process considerably more complex, and a proposed cut of funding for this organization was included in the budget recommendation made to the Erie County Legislature, and

WHEREAS, this increase in funds for 2004 will utilize a Legislative appropriation set aside for these purposes, and

WHEREAS, there is no fiscal impact to the 2004 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2004 Adopted Budget:

**Department of Social Services. Fund 120. Department 200**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE/ (DECREASE)</u></b>
830-0344	Literacy Volunteers of Buffalo and Erie County	<u>\$50,000</u>
	Total Appropriations	<u>\$50,000</u>
606	State Aid -Services for Recipients	\$32,500
685-1000	Interfund -Legislature	<u>17,500</u>
	Total Revenue	<u>\$50,000</u>

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**Erie County Legislature. Fund 110. Department 100**

<b><u>ACCOUNT</u></b>	<b><u>INCREASE/ DESCRIPTION</u></b>	<b><u>(DECREASE)</u></b>
830	Contractual Expense	(\$17,500)
880-2000	Interfund -Social Services	<u>17,500</u>
	Total Appropriations	<u>-0-</u>

and be it further

RESOLVED, that because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

MS. MARINELLI moved to amend the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

- **ADD** the following **WHEREAS** Clause:

WHEREAS, in a demonstration of its support for this important organization and under its Public Benefit process, the Erie County Legislature has previously appropriated and approved funds for Literacy Volunteers of Buffalo and Erie County and no further funds need be transferred from the Legislature,

- **DELETE** the first (1<sup>st</sup>) **RESOLVE** Clause in its entirety and **REPLACE** with the following:

RESOLVED, that the following budget amendments are hereby authorized in the 2004 Adopted Budget:

**Department of Social Services. Fund 120. Department 200**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE</u></b>
830-0344	Literacy Volunteers of Buffalo and Erie County	\$32,500
	Total Appropriations	\$32,500
606	State Aid -Services for Recipients	\$32,500
	Total Revenue	\$32,500

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and be it further

- **ADD** the following **RESOLVE** Clause as the new second (2nd) **RESOLVE**:

RESOLVED, that the Erie County Legislature does hereby note that this Honorable Body has previously appropriated and approved funds for Literacy Volunteers of Buffalo and Erie County through the Legislature's Public Benefit process, and be it further

MS. MARINELLI moved the approval of the resolution as amended. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 45 – MS. MARINELLI moved to discharge the HUMAN SERVICES COMMITTEE from further consideration of Comm. 6E-19 (2004). MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 122

Re: DSS – Wraparound Services  
 Program Expansion.

WHEREAS, the Department of Social Services is engaged in a comprehensive multi-faceted effort to safely reduce the length of stay of children in costly institutional foster care placement, and

WHEREAS, one component of this effort is wraparound services to be conducted by New Directions Youth and Family Services, Hopevale and Care Management Coalition and/or Child and Family Services that are focused on early discharge of children from institutional care into less restrictive community settings, and

WHEREAS, in order to assure success of this transition a flexible needs-based program of intensive wraparound services tailored to the needs of the child and family must be implemented, and

WHEREAS, the design and scope of services needed is determined in consultation with County caseworker staff and a Care Coordinator at the voluntary agency as well as natural parents and foster care parents.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or County Executive are authorized to enter into contracts with New Directions Youth and Family Services, Hopevale, Inc. and Care Management Coalition and/or Child and Family Services for the Wraparound Services Program, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2004 Adopted Budget:

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**Department of Social Services. Department 200. Fund 120**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE</u></b>
830-xxxx	New Directions Youth and Family Services	\$203,301
830-xxxx	Hopevale	557,984
830-xxxx	Care Management Coalition and/or Child and Family Services	138,715
830-0880	Wraparound Preventive Services Initiatives	<u>(900,000)</u>
	Total Expenditures	<u>-0-</u>

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

MS. MARINELLI moved the approval of the resolution. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 46 – MS. MARINELLI moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 6E-41 (2004). MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RECEIVED, FILED & PRINTED.

March 2, 2004

Mr. Kenneth Beam  
 DISS Administration  
 Rath Building, Room 1513  
 95 Franklin Street  
 Buffalo, NY 14202

Re: Intro. 24-5 (2003) Availability of Surplus Computers.

Dear Ken:

I have received a request from the Grand Island Golden Age Center, 327 Whitehaven Road, Grand Island, NY for six (6) surplus computers for the establishment of a computer club and classes for seniors of Grand Island. A copy of the request letter from the Grand Island Golden Age Center is attached for your reference.

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**ERIE COUNTY LEGISLATURE**

Sincerely,  
 Charles M. Swanick  
 Erie County Legislator  
 10th District

Attachment

Cc: Hon. Kevin Kelley  
 Clerk, Erie County Legislature  
 Hon. George A. Holt, Jr.  
 Chairman, Erie County Legislature

ATTACHMENT

March 1, 2004

Charles Swanick  
 Erie County Legislator  
 3200 Elmwood Ave.  
 Tonawanda. NY 14072

Dear Mr. Swanick,

I would like to set up a computer class & club for our seniors. I am, requesting you assistance in acquiring 6 used computers, that would be suitable for this purpose.

Please consider this worthwhile project and advise me of the possibilities.

Sincerely,

Barbara. Gannon

Item 47 – MS. MARINELLI moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 6-1 (2004). MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 123

Re: Real Property Tax Exemption for Senior Citizens.

A RESOLUTION SUBMITTED BY LEGISLATORS  
 SWANICK, KUWIK, RANZENHOFER, CHASE, WEINSTEIN,  
 McCARVILLE, CUSACK, SCHROEDER, WROBLEWSKI & MARSHALL

WHEREAS, state legislation has been enacted allowing municipalities to increase the maximum income eligibility for senior citizens to receive a real property tax exemption, and

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WHEREAS, pursuant to state law, eligible senior citizens are those persons 65 years of age or older who have owned their property for the past 12 consecutive months prior to filing for the exemption and who have incomes that do not exceed the maximum level set by law, and

WHEREAS, senior citizens, in order to be eligible for the property tax exemption, must list their property as their legal address and must also reside there, and

WHEREAS, a Public Hearing, pursuant to Section 467, paragraph l(a) of the State Real Property Tax Law, as amended, was duly advertised and held on \_\_\_\_\_, \_\_\_\_\_ 2004 at 2:00 p.m. by the Erie County Legislature on the proposal to increase the maximum income eligibility level,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, pursuant to Section 467 of the Real Property Tax Law, as amended, hereby grants from the County of Erie real property taxes so as to increase the maximum eligibility levels to the extent of fifty per centum (50%) of the assessed valuation of real property owned by persons 65 years of age or older who qualify therefore under said section, provided said persons do not have incomes in excess of twenty-four thousand dollars (\$24,000) for the income tax year immediately preceding the date of application for said exemption and to the extent provided in the following schedule:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt from Taxation By the County of Erie</u>
Up to \$24,000	50 per centum
More than \$24,000 but less than \$25,000	45 per centum
\$25,000 or more, but less than \$26,000	40 per centum
\$26,000 or more, but less than \$27,000	35 per centum
\$27,000 or more, but less than \$27,900	30 per centum
\$27,900 or more, but less than \$28,800	25 per centum
\$28,800 or more, but less than \$29,700	20 per centum
\$29,700 or more, but less than \$30,600	15 per centum
\$30,600 or more, but less than \$31,500	10 per centum
\$31,500 or more, but less than \$32,400	5 per centum

RESOLVED, that the Erie County' Legislature hereby applies aforesaid exemption schedule to all taxable status dates assessment rolls in Erie County, applying to rolls prepared on taxable status dates after January 1, 2004, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Joel A. Giambra, Budget Director Joseph Passafiume, Deputy Commissioner of Real Property Tax Joseph Maciejewski, County Attorney Frederick A. Wolf, Senior Services Commissioner Pamela Krawczyk and to the Assessors of each city, town and village in Erie County.

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**FISCAL IMPACT:** A total estimated shift of \$4 million in property taxes from exempt to non-exempt taxes results from this resolution. The increased shift in taxes to the average non-exempt parcels in the County, compared with the previous authorization, is \$0.50 annually.

MS. MARINELLI moved to amend the resolution. MR. DUSZA seconded.  
 CARRIED UNANIMOUSLY.

• **DELETE the Fourth WHEREAS clause and REPLACE with the following:**

WHEREAS, a Public Hearing, pursuant to Section 467, paragraph l(a) of the State Real Property Tax Law, as amended, was duly advertised and held on Thursday, March 18, 2004 at 1:30 p.m. by the Erie County Legislature on the proposal to increase the maximum income eligibility level,

MS. MARINELLI moved to further amend the resolution to include Et Al Sponsorship. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved the approval of the resolution as amended. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 48 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. DEBENEDETTI seconded.

GRANTED.

CHAIRMAN HOLT directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Comm. 7E-51 From COUNTY EXECUTIVE & COMMISSIONER OF PUBLIC WORKS  
 Re: New Building Guard Positions.

Item 49 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. DEBENEDETTI seconded.

GRANTED.

Comm. 7E-52 From CHAIRMAN HOLT Re: Erie County Surplus Computers.

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**ERIE COUNTY LEGISLATURE**

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RECEIVED, FILED & PRINTED.

March 18, 2004

Kevin M. Kelley Clerk  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, NY 14202

Dear Mr. Kelley:

Please be advised that I have received a request (attached) from the Community Action Organization (70 Harvard Place, Buffalo, NY 14209) to receive twenty (20) surplus Erie County computers.

Please advise me as to how to best proceed with facilitating this request as provided for in Intro. 24-5 (2003), which was approved as amended on February 5, 2004.

Thank you in advance for your courtesies.

Sincerely,  
George A. Holt, Jr.  
Erie County Legislator  
3rd District

cc: Mr. Kenneth Beam Erie  
County DISS

Attachment

March 17, 2004

Honorable George A. Holt, Jr.  
Chairman  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

Dear Chairman Holt:

It has been brought to our attention that the County of Erie, as per Intro. 24-5 of 2003 will be donating surplus computers to community organizations throughout Erie County. The CAO would like to request 20 computers to enhance our computer center.

The computers would be used for academic enrichment, job searches, resume writing and senior outreach.

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As you already know, the CAO works closely with the entire community and the computers will be extremely helpful as we continue to create opportunities and improve the quality of life for all residents of the County of Erie. If you have any questions, please do not hesitate to contact me.

Sincerely,  
 L. Nathan Hare

Item 50 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. DEBENEDETTI seconded.

CHAIRMAN HOLT directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Comm. 7E-53 From LEGISLATOR SMITH Re: Charter Review Commission Appointment.

Item 51 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. DEBENEDETTI seconded.

GRANTED.

Comm. 7E-54 From LEGISLATOR SMITH Re: Erie County Surplus Computers.

RECEIVED, FILED & PRINTED.

March 15, 2004

Mr. Kevin Kelly  
 Erie County Clerk  
 25 Delaware  
 Buffalo, NY 14215

Dear Mr. Kelly:

I would like to request a total of twenty surplus computers to be allocated to the following organizations:

Two to the Masten Block Club Coalition  
 Nine to the Metro Community Development Corporation  
 Five to the Martha Mitchell Community Center  
 Two to Kensington Neighborhood Housing Services  
 Two to the Bridge

The computers will help in tutorial activities with the Academic Mastery Center's on-line tutorial program in the various neighborhoods these organizations serve.

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Thank you for your attention to this matter. If you have any comments, questions or concerns please do not hesitate to contact me at 894-0914.

Sincerely,  
 Demone Smith  
 Erie County Legislator,  
 7<sup>th</sup> District

Item 52 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda. MR. DEBENEDETTI seconded.

GRANTED.

CHAIRMAN HOLT directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Comm. 7E-55 From the ERIE COUNTY CLERK Re: Charter Review Commission Appointment.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR DEBENEDETTI**

Item 53 – (Comm. 7E-1) Request to Hold Informational Finance & Management Meeting 3/9/04.

Received and Filed.

**FROM THE SHERIFF**

Item 54 – (Comm. 7E-2) Proposed Multi – Agency Strategy for Public Safety.

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM LEGISLATOR McCARVILLE**

Item 55 – (Comm. 7E-3) Explanation of Abstention on Vote for Comm. 6E-31 (2004).

RECEIVED, FILED & PRINTED.

March 5, 2004

Hon. George A. Holt, Jr.  
 Chairman, Erie County Legislature

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**ERIE COUNTY LEGISLATURE**

Old County Hall Annex -7th Floor  
25 Delaware Avenue  
Buffalo, NY 14202

Dear Chairman Holt:

Pursuant to the Rules of Order for the Erie County Legislature, please allow this letter to serve as my explanation for my abstention on the vote for Comm. 6 E-31.

At present, I am employed part-time by Accident Reconstruction Plus, a TVGA Consultants Company, but my duties for Accident Reconstruction Plus do not directly involve the procurement, preparation, or performance of any contract between TVGA Consultants and the County of Erie. In addition, any wages that I receive from employment with Accident Reconstruction Plus are in no way directly affected by any contract between TVGA Consultants and Erie County.

I trust that the above will suffice.

Thank you.

Very truly yours,  
Steven P. McCarville  
Erie County Legislator  
13th District

cc: Kevin Kelley  
Clerk, Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 56 – (Comm. 7E-4) Social Services – Human Services Reorganization.

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM THE COMPTROLLER

Item 57 – (Comm. 7E-5) Fixed Asset Update Package.

Received and filed.

FROM LEGISLATOR HOLT

Item 58 – (Comm. 7E-6) Copy of Letter to County Executive Re: Joint Appointments to ECIDA.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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FROM LEGISLATOR DEBENEDETTI

Item 59 – (Comm. 7E-7) Copy of Letter to Senator Volker Requesting Status of S.6125 – Providing an Early Retirement Incentive to EC Employees.

Item 60 – (Comm. 7E-8) Copy of Letter to Assembly Majority Leader Tokasz Requesting Status of A9862 Providing an Early Retirement Incentive to EC Employees.

Item 61 – (Comm. 7E-9) Copy of Appropriation & Expenditure Details on Tobacco Settlement Funds as Provided by Budget Director.

The above three items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 62 – (Comm. 7E-10) Request to Reschedule Finance & Management Committee Meeting No. 4.

Received and filed.

FROM THE COMPTROLLER

Item 63 – (Comm. 7E-11) Report Following Close of Books on 2003 Financial Operations.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR DEBENEDETTI

Item 64 – (Comm. 7E-12) Copy of Letter to Budget Director Re: Questions Related to an Early Retirement Incentive.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR SCHROEDER

Item 65 – Comm. 7E-13 From LEGISLATOR SCHROEDER Re: Request for Surplus Computers.

RECEIVED, FILED & PRINTED.

March 12, 2004

Kevin M. Kelley Clerk  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, NY 14202

Dear Mr. Kelley:

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**ERIE COUNTY LEGISLATURE**

Please be advised that I have received a request from the Kaisertown Coalition (P.O. Box 2603, Buffalo, NY 14240-2603) to receive twenty (20) surplus Erie County computers.

Please advise me as to how to best proceed with facilitating this request as provided for in Intro. 24-5 (2003), which was approved as amended on February 5, 2004.

Thank you in advance for your courtesies.

Sincerely,  
Mark J. F. Schroeder  
Erie County Legislator  
2nd District

cc: Hon. George A. Holt, Jr.  
Chair, Erie County Legislature

Mr. Kenneth Beam Erie  
County DISS

MS. MARINELLI moved to amend the item. MR. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

- ADD the attached:

March 15, 2004

Mr. Mark Schroeder  
Erie County Legislature District #2  
2019 Seneca St.  
Buffalo, NY 14210

Re: Surplus Computers

Dear Mr. Schroeder,

As you are aware our Coalition is very interested in subsidizing computer literacy, Internet, and keyboarding classes available to the general public at the Machnica Center and Autumnwood Senior Center.

Through our discussions, it has come to my attention that the County has surplus computers. Would you please process this request for twenty (20) of these surplus computers, in order that our Coalition can make same available for use of our city and county residents.

In the event you require additional information, please feel free to contact me by phone at 480-2501 or at our e-mail address above. I look forward to hearing from you, and sincerely thank you for your courtesies and cooperation in this manner.

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**ERIE COUNTY LEGISLATURE**

Sincerely,  
Chet Sobotka  
Kaisertown Coalition Board Member

FROM THE COMPTROLLER

Item 66 – (Comm. 7E-14) Bond Resolution – Various Capitals Projects - \$5,385,100.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR SMITH

Item 67 – (Comm. 7E-15) Request for Written Legal Opinion – Smoking Waiver Fees.

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM LEGISLATOR WROBLEWSKI

Item 68 – (Comm. 7E-16) Update on Draft GEIS for ECC Facilities Master Plan.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE SHERIFF

Item 69 – (Comm. 7E-17) Public Awareness is Prevention Grant – Project #720.

Item 70 – (Comm. 7E-18) “Selective Traffic Enforcement” Program (STEP).

Item 71 – (Comm. 7E-19) Asset Forfeiture Grant Appropriations – Project #493.

The above three items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 72 – (Comm. 7E-20) Additional Personnel for New Public Safety Building.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 73 – (Comm. 7E-21) Health – Youth Tobacco Enforcement & Prevention Program  
10/1/03 – 9/30/04.

Item 74 – (Comm. 7E-22) Health – Enhanced Drinking Water Protection Program 4/1/03 –  
8/31/05.

Item 75- – (Comm. 7E-23) Health – Clinical Practice Development Consultant Fee-for-  
Service Rate.

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The above three items were received and referred to the HUMAN SERVICES COMMITTEE.

Item 76 – (Comm. 7E-24) Southtowns Sewage Treatment Agency – Southtowns Sand Filter Project – Falter Construction Corporation – Dispensation of Hours.

Item 77 – (Comm. 7E-25) ECSD No. 6 – Bethlehem Park Sewer Rehab Phase I - C. Destro Development – Dispensation of Hours.

Item 78 – (Comm. 7E-26) ECSD Sewerage Management – Personnel Changes – 2004 Budget.

Item 79 – (Comm. 7E-27) ECSD No. 1 – French Road Area Sanitary Sewer Rehab – Bid Opening.

Item 80 – (Comm. 7E-28) ECSD No. 3 – A/E Agreement – Change Order No.1 – Consolidation of Blasdell & ECSD No. 3 / Southtowns Sewage Treatment Agency Services.

The above five items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 81 – (Comm. 7E-29) City of Buffalo – Erie County Regional Assets Sales Agreement.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 82 – (Comm. 7E-30) Funding for Geico Through the Buffalo & Erie County Workforce Development Consortium.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 83 – (Comm. 7E-31) Transfer of Pfohl Brothers Landfill Tax Liens to ECIDA.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 84 – (Comm. 7E-32) Saint John Baptist Church Hospice House Project.

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 85 – (Comm. 7E-33) Karpeles Manuscript Museum's Dr. Lalli Art Project.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 86 – (Comm. 7E-34) Funding for Niagara Ceramics Corporation Through the Buffalo & Erie County Workforce Development Consortium.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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Item 87 – (Comm. 7E-35) EMS – Revision of All-Hazard Mitigation Plan Grant.

Item 88 – (Comm. 7E-36) District Attorney – Asset Forfeiture Appropriations.

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

Item 89 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

Re: Appointment to ECSD Board No. 2.  
 (Comm. 7E-37)

RESOLVED, the Erie County Legislature does hereby confirm the appointment of Mr. Giford M Swyers of 50 Terrylynn Road, Buffalo, New York, 14006, to the Erie County Sewer District #2 for a term to expire December 31, 2008.

MS. MARINELLI moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 90 – (Comm. 7E-38) Ralph Wilson Stadium – 2004 Renovation of Existing Suites & Miscellaneous Work.

Item 91 – (Comm. 7E-39) Ralph Wilson Stadium – 2004 Miscellaneous Site Work.

Item 92 – (Comm. 7E-40) Ralph Wilson Stadium – 2004 Miscellaneous Concrete Repairs.

The above three items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 93 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 125

Re: Parks – Master Plan Implementation  
 – Engineer Supplemental Agreement.  
 (Comm. 7E-41)

WHEREAS, the 2003 and 2004 capital budgets contain funding for Erie County Parks & Recreation Master Plan Improvements, and

WHEREAS, the firm of Wendel-Duchscherer, P.C. is already engaged by the Department of Public Works under an Engineer contract, and

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**ERIE COUNTY LEGISLATURE**

WHEREAS, your Honorable Body authorized the County Executive to enter into a General Engineering Contract covering services for miscellaneous County projects with Wendel-Duchscherer, P.C., and

WHEREAS, it is now also desired to start design of 2004 Master Plan Implementation so this project can be bid in 2004,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to issue a supplemental agreement to Wendel-Duchscherer, P.C. to provide design services for the Erie County Parks & Recreation improvements, and be it further,

RESOLVED, that the total amount paid for consulting services shall be in an amount, not to exceed \$150,000, including reimbursables, for design work for 2004 Master Plan Implementation, and be it further,

RESOLVED, that the fee allocation be taken from Project 445, Fund 441, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Division of Budget Management & Finance; one copy to the Office of the Comptroller and one copy to the Department of Parks & Recreation; and one to the County Executive's Office.

MS. MARINELLI moved the approval of the resolution. MR DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 94 – (Comm. 7E-42) DPW – Acquiring Property for Wehrle Drive Reconstruction, Town of Amherst.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 95 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

Re: Social Services – Full Service  
 Schools Contract Renewals.  
 (Comm. 7E-43)

WHEREAS, the Department maintains contracts with community agencies to provide mentoring and other services to public school students and their families, and

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WHEREAS, at the time the appropriations for 2004 contracts were established, the Department did not have sufficient allocation of Temporary Assistance to Needy Families (TANF) dollars to fund all programs, and it was necessary to present a budget recommendation that did not continue funding to some prior period contractors, and

WHEREAS, funding for these contract renewals is now made available through the use of United Way funds as the local match to State Preventive Services funding, and

WHEREAS, there is no fiscal impact to this change.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive and/or Commissioner of Social Service are authorized to execute contracts with Life Transitions Center, Joan A. Male Family Support Center and WNY United Against Drug and Alcohol Abuse, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2004 adopted budget:

<u>Department of Social Services</u>		
<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830-0290	Life Transitions Centers	\$ 30,890
830-0549	Joan A. Male Family Support Center	98,905
830-1432	WNY United Against Drug and Alcohol Abuse	<u>42,655</u>
	Total Appropriations	<u>\$172,450</u>
447	Donated Funds	\$ 55,750
606	State Aid -Services for Recipients	<u>116,700</u>
	Total Revenues	<u>\$172,450</u>

and be it further

RESOLVED, that because the selection of agencies to provide these special services was determined through a Request for Proposals (RFP) process, the County Administrative Code requirement in Section 19.08 for any further RFP is hereby waived, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

MS. MARINELLI moved the approval of the resolution. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

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Item 96 – (Comm. 7E-44) Social Services – Contract with CMA Consulting Services.

Received and referred to the HUMAN SERVICES COMMITTEE.

**FROM THE COMPTROLLER**

Item 97 – (Comm. 7E-45) Bond Resolution – \$3,053,941 – Authorization of Improvements to Various Facilities of Botanical Gardens for Energy Savings.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR DUSZA**

Item 98 – (Comm. 7E-46) Appointment to 2004 Charter Revision Commission.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM LEGISLATOR HOLT**

Item 99 – (Comm. 7E-47) Appointment to 2004 Charter Revision Commission.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM LEGISLATOR SCHROEDER**

Item 100 – (Comm. 7E-48) Appointment to 2004 Charter Revision Commission.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM LEGISLATOR HOLT**

Item 101 – (Comm. 7E-49) Appointment to 2004 Charter Revision Commission.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM LEGISLATOR MARINELLI**

Item 102 – (Comm. 7E-50) Appointment to 2004 Charter Revision Commission.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

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FROM THE CLERK OF THE LEGISLATURE

Item 103 – (Comm. 7D-1) Notice of Informational Finance & Management Committee Meeting 3/09/04.

Received and filed.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 104 – (Comm. 7D-2) Buffalo River Walleye Management Project – A Plan for Restoration.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 105 – (Comm. 7D-3) Legal Opinion Re: Salary Adjustment & Accrued Leave Payments.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM BUDGET, MANAGEMENT & FINANCE

Item 106 – (Comm. 7D-4) BMR for Period Ending 10/31/03.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM DISS

Item 107 – (Comm. 7D-5) Fleet Services – 2003 Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF HEALTH

Item 108 – (Comm. 7D-6) Response to Legislator Smith's 3/2/04 Letter Re: Clean Indoor Air Act Policies & Fees.

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM ECMCC

Item 109 – (Comm. 7D-7) Notice of Board of Directors Meeting to be Held 3/25/04 & Schedule for Remaining 2004 Meetings.

Received and filed.

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FROM BUDGET, MANAGEMENT & FINANCE

Item 110 – (Comm. 7D-8) BMR for Period Ending 10/31/03.

Received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 111 – (Comm. 7D-9) Notice of Change in Committee Schedule.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 112 – (Comm. 7D-10) Notice of Claims.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECC

Item 113 – (Comm. 7D-11) Notice of Special Trustees Meeting to be Held 3/24/04 & Regular Meeting to be Held 3/31/04.

Received and filed.

FROM BUDGET, MANAGEMENT & FINANCE

Item 114 – (Comm. 7D-12) Response to Legislator DeBenedetti's 3/1/04 Letter Re: An Early Retirement Incentive.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM SOCIAL SERVICES

Item 115 – (Comm. 7D-13) Response to Request for Information on Wraparound Services Expansion.

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF'S OFFICE

Item 116 – (Comm. 7D-14) Comm. 4E-72 (2004) – Typographical Error.

Received and referred to the PUBLIC SAFETY COMMITTEE.

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**FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Item 117 – (Comm. 7D-15) Notice of Meeting to be Held 3/18/04 & Minutes from 2/19/04 Meeting.

Received and filed.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM SENATOR VOLKER**

Item 118 – (Comm. 7M-1) Receipt of Resolution.

Received and filed.

**FROM NFTA**

Item 119 – (Comm. 7M-2) Minutes of Board Meeting Held 1/26/04.

Received and filed.

**FROM THE ONEIDA COUNTY LEGISLATURE**

Item 120 – (Comm. 7M- 3) Certified Resolution in Support of State Bills A.1757 & S.675.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM SENATOR VOLKER**

Item 121 – (Comm. 7M-4) Receipt of Resolution.

Received and filed.

**FROM THE CITIZEN SALARY REVIEW COMMISSION**

Item 122 – (Comm. 7M-5) 2004 Final Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE MENTAL HYGIENE COMMUNITY SERVICES BOARD**

Item 123 – (Comm. 7M-6) Notice of Meeting to be Held 3/18/04 & Minutes of Meeting Held 2/12/04.

Received and filed.

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**FROM THE NYS TRAFFIC SAFETY COMMITTEE**

Item 124 – (Comm. 7M-7) Notice of Approval of 2004 STOP-DWI Plan for Erie County.

Received and filed.

**FROM NFTA**

Item 125 – (Comm. 7M-8) Notice of Public Meetings to Discuss Outer Harbor Development to be Held 3/19/04 & 3/20/04.

Received and filed.

**FROM THE ERIE COUNTY ASSOCIATION OF TAX RECEIVERS**

Item 126 – (Comm. 7M-9) Letter Re: Centralized Regional Tax Collection System.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE NYS COMPTROLLER**

Item 127 – (Comm. 7M-10) Report on Effectiveness of Empire Zones.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE TOWN OF TONAWANDA**

Item 128 – (Comm. 7M-11) Certified Resolution Re: Toll Barriers.

Received and filed.

**FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL**

Item 129 – (Comm. 7M-12) Notice of Meeting Held 3/16/04 & Minutes from 2/17/04 Meeting.

Received and filed.

**FROM CYNTHIA DEMSKI**

Item 130 – (Comm. 7M-13) Request for Retroactive Pay for Services Provided by County Employee.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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**FROM THE AUDIT COMMITTEE**

Item 131 – (Comm. 7M-14) 2003 Annual Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM CONGRESSMAN QUINN**

Item 132 – (Comm. 7M-15) Receipt of Resolution.

Received and filed.

**FROM THE COUNTY NURSING FACILITIES OF NY**

Item 133 – (Comm. 7M-16) Request for Support of S.5854 / A.10124 Re: State Reimbursement for Services in Nursing Homes.

Received and referred to the HUMAN SERVICES COMMITTEE.

**FROM BHNT ARCHITECTS**

Item 134 – (Comm. 7M-17) Draft GEIS for ECC Facilities Master Plan 1/16/04.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**MEMORIAL RESOLUTIONS**

Item 135 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of Lee Crouch.

Item 136 – Mr. Dusza requested that when the Legislature adjourns, it do so in memory of Edward T. Swiatek.

Item 137 – Mr. Schroeder requested that when the Legislature adjourns, it do so in memory of Ida Schaller.

Item 138 – Ms. Chase requested that when the Legislature adjourns, it do so in memory of George Bankroft Jr.

**ADJOURNMENT**

Item 139 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

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MS. MARINELLI moved that the Legislature adjourn until 2 p.m. Thursday, April 1, 2004.  
MR. RANZENHOFER seconded.  
CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, April 1, 2004 at 2 p.m.  
Eastern Standard Time.

**KEVIN M. KELLEY**  
**CLERK**